

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1004 be amended to read as follows:

- 1 Page 4, between lines 28 and 29, begin a new paragraph and insert:
- 2 "SECTION 4. IC 4-10-12-7 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 4 MARCH 14, 2002 (RETROACTIVE)]: **Sec. 7. (a) As used in this**
- 5 **section, "former employee" means an individual who:**
- 6 **(1) was employed at a facility operated by the division of**
- 7 **disability, aging, and rehabilitative services (IC 12-9-1-1), the**
- 8 **division of mental health and addiction (IC 12-21-1-1), the**
- 9 **state department of health (IC 16-19-1-1), or the department**
- 10 **of correction (IC 11-8-2-1);**
- 11 **(2) was laid off or terminated from employment solely**
- 12 **because of the closing or downsizing of a facility after March**
- 13 **14, 2002; and**
- 14 **(3) has not found a job elsewhere with a state agency.**
- 15 **(b) A former employee is entitled to be paid an amount equal to**
- 16 **sixty percent (60%) of the current salary value for:**
- 17 **(1) accrued vacation days in excess of thirty (30) for which the**
- 18 **former employee is entitled to compensation one hundred**
- 19 **percent (100%);**
- 20 **(2) accrued sick days; and**
- 21 **(3) accrued personal days;**
- 22 **that the former employee had accrued at the time of termination**
- 23 **or layoff."**
- 24 Page 23, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 20. IC 5-10-8-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 14, 2002 (RETROACTIVE)]: Sec. 8.5. (a) As

used in this section, "former employee" means an individual who:

(1) was employed at a facility operated by the division of disability, aging, and rehabilitative services (IC 12-9-1-1), the division of mental health and addiction (IC 12-21-1-1), the state department of health (IC 16-19-1-1), or the department of correction (IC 11-8-2-1);

(2) was laid off or terminated from employment after March 14, 2002, solely because of the closing or downsizing of a facility; and

(3) has not found a job elsewhere with a state agency.

(b) After March 14, 2002, the state shall provide to a former employee continued participation in a group health insurance program offered to active employees of the state for one (1) year after the date of termination or lay off.

(c) The state shall continue to make the employer contribution for former employees for a period of one (1) year or until the employee is covered by health insurance either:

(1) due to reemployment with the state; or

(2) due to employment in the private sector where the plan covering the employee is at least as beneficial to the employee as the state plan."

Page 301, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 293. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding any other law, rule, or policy, Muscatatuck state developmental center may not be closed but shall remain in operation until June 30, 2004.

(b) The budget agency shall make any transfers of funds between appropriations in P.L.291-2001, SECTION 7, necessary to keep the Muscatatuck state developmental center in operation through June 30, 2004.

(c) This SECTION expires July 1, 2004.

SECTION 294. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "committee" refers to the interim study committee on placement of residents at Muscatatuck state developmental center and retraining and placement of employees.

(b) There is established the interim study committee on placement of residents at Muscatatuck state developmental center and retraining and placement of employees. The committee shall study the adequacy and safe placement of residents who are receiving care at Muscatatuck state developmental center. The committee shall study how employees are being retrained and placed. Attention should be given to placement of the employees elsewhere in state employment in view of the strategic hiring freeze implemented by the governor.

- 1 (c) The committee shall operate under the policies governing
2 study committees adopted by the legislative council.
3 (d) The affirmative votes of a majority of the voting members
4 appointed to the committee are required for the committee to take
5 action on any measure, including final reports.
6 (e) This SECTION expires December 31, 2004."
7 Renumber all SECTIONS consecutively.
 (Reference is to HB 1004 as printed January 22, 2002.)

Representative Lytle